



Control Number: 48785



Item Number: 72

Addendum StartPage: 0

SOAH CONSOLIDATED DOCKET NO. 473-19-1265
PUC CONSOLIDATED DOCKET NO. 48785

2019 JAN -9 PM 1:33

PUBLIC UTILITY COMMISSION
FILING CLERK

APPLICATION OF ONCOR §
ELECTRIC DELIVERY COMPANY §
LLC, AEP TEXAS INC., AND LCRA §
TRANSMISSION SERVICES §
CORPORATION TO AMEND §
THEIR CERTIFICATES OF §
CONVENIENCE AND NECESSITY §
FOR 345-KV TRANSMISSION §
LINES IN PECOS, REEVES, AND §
WARD COUNTIES, TEXAS (SAND §
LAKE TO SOLSTICE AND §
BAKERSFIELD TO SOLSTICE) §

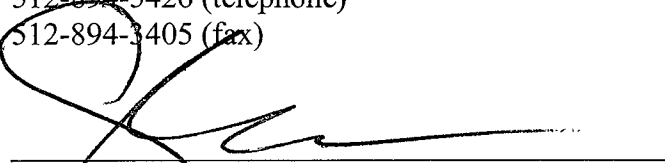
BEFORE THE STATE OFFICE OF
ADMINISTRATIVE HEARINGS

DIRECT TESTIMONY OF INTERVENORS GALE AND DOROTHY SMITH

Intervenors Gale Smith and Dorothy Smith ("Smith") file this Direct Testimony, which is attached. Smith stipulates that this Direct Testimony can be treated by all parties as if the answers were filed under oath.

Respectfully submitted,

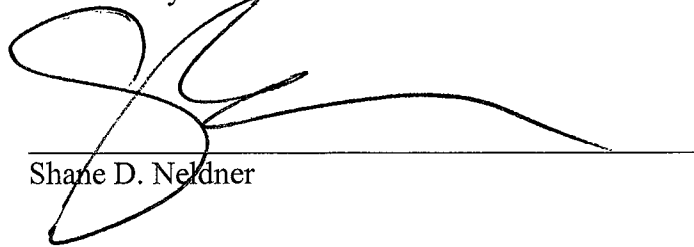
BRAUN & GRESHAM, PLLC
P.O. Box 1148 (Mailing)
Dripping Springs, Texas 78620
14101 Hwy. 290 W., Bldg. 1100 (Physical)
Austin, Texas 78737
512-894-5426 (telephone)
512-894-3405 (fax)


Patrick L. Reznik
State Bar No. 16806780
Cassie Gresham
State Bar No. 24045980
Shane D. Neldner
State Bar No. 24062435

**ATTORNEYS FOR GALE AND DOROTHY
SMITH**

CERTIFICATE OF SERVICE

I certify that a copy of this document has been served on all parties of record on January 9, 2019 in accordance with Public Utility Commission Procedural Rule 22.74.



Shane D. Neldner

TABLE OF CONTENTS

I.	INTRODUCTION	4
II.	PURPOSE AND SCOPE OF TESTIMONY	5
III.	DESCRIPTION OF PROPERTY AND THE LINE'S IMPACT	5
IV.	CONCLUSION AND RECOMMENDATIONS	8
EXHIBITS		
	A – AERIAL MAP OF PARCEL R1-016	4, 9

1 **I. INTRODUCTION**

2
3 QUESTION: PLEASE STATE YOUR NAME AND CURRENT ADDRESS FOR THE
4 RECORD.

5
6 ANSWER: Gale and Dorothy Smith
7 P.O. Box 481
8 Fort Stockton, Texas 79735
9

10 QUESTION: ARE YOU INTERVENORS IN SOAH CONSOLIDATED DOCKET
11 NO. 473-19-1265 AND PUC CONSOLIDATED DOCKET NO. 48785 AND ON
12 WHOSE BEHALF ARE YOU TESTIFYING?

13
14 ANSWER: Yes and we are testifying on behalf of ourselves.

15
16 QUESTION: HAVE YOU EVER TESTIFIED IN A PUBLIC UTILITY
17 COMMISSION OF TEXAS ("PUC" OR "COMMISSION") PROCEEDING?

18
19 ANSWER: No.

20
21 QUESTION: BRIEFLY DESCRIBE YOUR OCCUPATIONS, EDUCATIONAL AND
22 WORK HISTORIES.

23
24 ANSWER: Gale Smith is an inspector for power lines and a high school graduate.
25 Dorothy Smith is also a high school graduate and is retired.

26
27 QUESTION: WHERE IS YOUR PROPERTY LOCATED?

28
29 ANSWER: The property is located in Pecos County, Texas on Humble Street and
30 identified by LCRA Transmission Services Corporation and AEP Texas, Inc. ("LCRA &
31 AEP") as tract R1-016. **See Exhibit A.**

32
33 QUESTION: HOW LONG HAVE YOU OWNED THE PROPERTY?

34
35 ANSWER: We have owned the property for 11 years.

36
37 QUESTION: ARE YOU FAMILIAR WITH THE AREA OF PECOS COUNTY,
38 TEXAS?

39
40 ANSWER: Yes, we are very familiar with Pecos County, Texas.
41

1
2 **II. PURPOSE AND SCOPE OF TESTIMONY**
3

4 QUESTION: WHAT IS THE PURPOSE AND SCOPE OF YOUR TESTIMONY?
5

6 ANSWER: The purpose of our testimony is to (a) describe our property; (b) describe the
7 expected impact of the proposed transmission line on our property; (c) voice our
8 opposition to any Route using Segment R1 and proposed alternate Route 3; and voice my
9 support for LCRA & AEP's Bakersfield to Solstice recommended Route 24.

10
11 QUESTION: WHAT ARE YOUR CONCERNS ABOUT THE PROPOSED
12 TRANSMISSION LINE USING LCRA & AEP'S PROPOSED ALTERNATE ROUTE
13 3 AND SEGMENT R1?
14

15 ANSWER: In general, we are opposed to the construction of LCRA & AEP's
16 transmission line through our community because of the following: (1) a 345-kV
17 transmission line will severely depreciate the value of our property; (2) a 345-kV
18 transmission line will severely detract from the scenic beauty and aesthetic values of our
19 property and area; (3) a 345-kV transmission line would negatively impact community,
20 economic and historical values and character of our property and area; (4) We and
21 visitors will have to drive under or near a 345-kV transmission line on a regular basis; (5)
22 for transmission lines crossing our property, we would be required to give third parties
23 access to our property, which limits the privacy and control over our property; and
24 (6) We have general concerns about any buzzing of the 345-kV transmission line and
25 general health and safety concerns and concerns living and being close to a 345-kV
26 transmission line.

27
28 **III. DESCRIPTION OF PROPERTY AND THE LINE'S IMPACT**
29
30

31 QUESTION: ARE THERE ANY HABITABLE STRUCTURES ON THE
32 PROPERTY?
33

34 ANSWER: Yes, there are two homes on the property.
35

1 QUESTION: PLEASE DESCRIBE THE TERRAIN AND ECOLOGICAL OR
2 BIOLOGICAL FEATURES OF YOUR PROPERTY.

3

4 ANSWER: The property is level with some mesquite brush, several trees and bushes, a
5 variety of flowers and cacti are also on the property.

6

7 QUESTION: HAVE YOU OR YOUR FAMILY UNDERTAKEN ANY EFFORTS TO
8 RESTORE THE LAND OR THE ENVIRONMENTAL QUALITY OF THE
9 PROPERTY?

10

11 ANSWER: Yes, we have removed mesquite brush, planted about 60 trees and 50 bushes,
12 and various flowers and cacti to enhance the property.

13

14 QUESTION: ARE THERE ANY WATER WELL SITES ON THE PROPERTY? IF
15 SO, DESCRIBE THEIR GENERAL LOCATIONS.

16

17 ANSWER: Yes, there is a water well in the center of the property.

18

19 QUESTION: ARE THERE ANY GAS WELLS ON THE PROPERTY?

20

21 ANSWER: Yes, there are two gas and pumping wells with tank batteries.

22

23 QUESTION: ARE THERE ANY PIPELINE EASEMENTS ON THE PROPERTY?

24

25 ANSWER: Yes, there are three pipelines which cross the property.

26

27 QUESTION: PLEASE DESCRIBE ANY PLANNED FUTURE USES OF YOUR
28 PROPERTY IF THOSE USES ARE DIFFERENT FROM THE CURRENT USES
29 PREVIOUSLY DESCRIBED.

30

31 ANSWER: We do not have any different uses planned in the future for our property.

32

33 QUESTION: DO ANY EXISTING TRANSMISSION OR DISTRIBUTION LINES
34 CROSS YOUR PROPERTY? IF SO, PLEASE DESCRIBE HOW AND WHERE
35 THEY CROSS THE PROPERTY.

36

37 ANSWER: No, only distribution lines which supply our homes with electricity.

38

1 QUESTION: ARE THERE CURRENT PLANS FOR OTHER UTILITY FEATURES
2 ON YOUR PROPERTY? IF SO, PLEASE DESCRIBE HOW AND WHERE THEY
3 CROSS THE PROPERTY.

4
5 ANSWER: None.

6
7 QUESTION: WOULD THE SEGMENTS THAT MIGHT IMPACT YOUR
8 PROPERTY RUN ALONG ANY BOUNDARY LINES OF YOUR PROPERTY?

9
10 ANSWER: No.

11
12 QUESTION: HOW WOULD A 345-KV ELECTRIC TRANSMISSION LINE
13 IMPACT YOUR PROPERTY AND ITS OPERATIONS?

14
15 ANSWER: While the transmission line would not directly impact our property, the huge
16 and unsightly 345-kV line and towers would be across the street and visible from all
17 areas of the property.

18
19 QUESTION: WOULD YOU HAVE TO REGULARLY DRIVE UNDER THE
20 TRANSMISSION LINE IF INSTALLED ON YOUR PROPERTY.

21
22 ANSWER: Yes, depending on the direction we travel on Humble Road.

23
24 QUESTION: DESCRIBE THE AESTHETIC IMPACT TO YOUR PROPERTY IF
25 LCRA & AEP BUILDS A 345-KV TRANSMISSION LINE ON YOUR PROPERTY.

26
27 ANSWER: While the transmission line would not directly impact our property, it would
28 be across the street. The huge towers necessary for a 345-kV transmission line would be
29 unsightly and visible from both our homes and from every area of our property.

30
31 QUESTION: IF THE TRANSMISSION LINE IS BUILT NEAR YOUR PROPERTY,
32 DO YOU HAVE ANY CONCERNS?

33
34 ANSWER: We have general safety and health concerns for living around transmission
35 lines and EMF issues. Because potential buyers may be aware of medical studies
36 available on the Internet arguing, correctly or not, a connection between high-powered
37 transmission lines causing health problems and possible cancer, we are concerned about a

1 negative stigma being attached to our property and the possible devaluation of our
2 property value.

3
4 QUESTION: IS THERE ANYTHING ELSE YOU WOULD LIKE THE
5 ADMINISTRATIVE LAW JUDGE AND THE PUBLIC UTILITY COMMISSION TO
6 CONSIDER IN THIS PROCEEDING?

7
8 ANSWER: Yes, our son has a defibrillator and pace maker which can be affected by a
9 high voltage line.

10

11 **IV. CONCLUSION AND RECOMMENDATIONS**

12

13 QUESTION: HOW WOULD YOU SUMMARIZE YOUR POSITION IN THIS
14 PROCEEDING REGARDING LCRA & AEP's ROUTE 24 AND THE PROPOSED
15 ALTERNATE ROUTES?

16

17 ANSWER: We oppose LCRA & AEP's proposed alternate Route 3. We also oppose any
18 Route using Segment R1. We support LCRA & AEP's recommended Route 24 as the
19 route that best meets the overall community values and PURA § 37.056(c)(4) and P.U.C.
20 SUBST. R. 25.101(b)(3)(B). Being very familiar with this area, we believe Route 24 is
21 the best route for the community and prudent avoidance.

22

23 QUESTION: DOES THIS CONCLUDE YOUR TESTIMONY?

24

25 ANSWER: Yes.

